

10/27/66

15. APPLICATION FOR FOUR GAS-LINE RIGHT-OF-WAY EASEMENTS OVER STATE-OWNED SUBMERGED AND ACCRETED LANDS OF THE COLORADO RIVER, RIVERSIDE COUNTY; SOUTHERN CALIFORNIA GAS COMPANY AND SOUTHERN COUNTIES GAS COMPANY - W.O. 4130, P.R.C. 3642.1.

After consideration of Calendar Item 24 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO SOUTHERN CALIFORNIA GAS COMPANY AND SOUTHERN COUNTIES GAS COMPANY A FIFTEEN-YEAR LEASE OF SUBMERGED AND ACCRETED LANDS OF THE COLORADO RIVER FOR GAS TRANSMISSION LINES, TO BEGIN AS OF DECEMBER 19, 1961, AT AN ANNUAL RENTAL OF \$460.09 WITH THE FIRST AND LAST YEARS' RENTALS PAYABLE IN ADVANCE, THE LEASE TO PROVIDE FOR THREE TEN-YEAR RENEWAL OPTIONS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

THE LANDS ARE DESCRIBED AS FOLLOWS:

THREE UNIFORM STRIPS OF LAND 50 FEET WIDE IN THE BED OF THE COLORADO RIVER AND DESIGNATED AS LINES A, C, AND D, LYING SOUTHERLY AND EASTERLY OF THE MEANDER LINE OF THE WEST BANK OF THE COLORADO RIVER, AS SHOWN ON THE U. S. GOVERNMENT PLAT OF "FRACTIONAL TOWNSHIP NO. 6 SOUTH, RANGES NO. 23 AND 24 EAST OF SAN BERNARDINO MERIDIAN", AND U. S. GOVERNMENT PLAT OF "FRACTIONAL TOWNSHIP NO. 7 SOUTH, RANGE NO. 23 EAST, SAN BERNARDINO MERIDIAN", BEING 25 FEET ON EACH SIDE OF THE FOLLOWING CENTER LINES:

LINE "A"

COMMENCING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 35 AND 36, TOWNSHIP 6 SOUTH, RANGE 23 EAST;

THENCE SOUTH ALONG THE SECTION LINE BETWEEN SAID SECTIONS 35 AND 36, AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 2653.95 FEET TO A POINT WHICH IS SHOWN AS THE COMMON CORNER OF SECTIONS 35 AND 36, T. 6 S., R. 23 E., AND SECTIONS 1 AND 2, T. 7 S., R. 23 E., ON MAP ON FILE IN RECORD OF SURVEY, BOOK 34 AT PAGES 36 AND 37 THEREOF;

THENCE SOUTH, A DISTANCE OF 116.62 FEET TO THE POINT OF BEGINNING ON THE CENTER LINE TO BE DESCRIBED;

THENCE N. 58° 18' W., A DISTANCE OF 460.65 FEET;

THENCE S. 89° 52' W., A DISTANCE OF 665.87 FEET TO THE MEANDER LINE OF THE WEST BANK OF THE COLORADO RIVER AS SHOWN ON SAID U. S. GOVERNMENT PLAT OF FRACTIONAL TOWNSHIP NO. 6 SOUTH, RANGES 23 AND 24 EAST OF SAN BERNARDINO MERIDIAN, FROM A SURVEY MADE IN 1874 BY O. P. CALLOWAY. CONTAINING APPROXIMATELY 1.293 ACRES.

LINE "C"

A RIGHT OF WAY, 50 FEET WIDE, LYING 25 FEET ON EACH SIDE OF THE FOLLOWING CENTER LINE:

COMMENCING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 35 AND 36, TOWNSHIP 6 SOUTH, RANGE 23 EAST;

THENCE SOUTH ALONG THE SECTION LINE BETWEEN SAID SECTIONS 35 AND 36, AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 2653.95 FEET TO A POINT WHICH IS SHOWN AS THE COMMON CORNER OF SECTIONS 35 AND 36, T. 6 S., R. 23 E., AND SECTIONS 1 AND 2, T. 7 S., R. 23 E., ON MAP ON FILE IN RECORD OF SURVEY, BOOK 34 AT PAGES 36 AND 37 THEREOF;

THENCE SOUTH, A DISTANCE OF 116.62 FEET;

THENCE S. $58^{\circ} 18'$ E., A DISTANCE OF 11.95 FEET;

THENCE S. $63^{\circ} 12'$ E., A DISTANCE OF 161.79 FEET; THENCE N. $27^{\circ} 30'$ E., A DISTANCE OF 25 FEET TO THE POINT OF BEGINNING OF THE CENTER LINE TO BE DESCRIBED;

THENCE N. $27^{\circ} 30'$ E., A DISTANCE OF 205.67 FEET;

THENCE N. $61^{\circ} 41'$ E., A DISTANCE OF 620.52 FEET; TO THE SOUTH RIGHT OF WAY LINE OF CALIFORNIA STATE HIGHWAY ROUTE NO. 64-F (U.S. 60); THENCE N. $61^{\circ} 41'$ E. 264.61 FEET;

THENCE N. $17^{\circ} 03' 30''$ E., A DISTANCE OF 78.70 FEET;

THENCE S. $72^{\circ} 56' 30''$ E., A DISTANCE OF 533.17 FEET TO THE CENTER OF THE BRIDGE ON STATE HIGHWAY ROUTE 64-F (U.S. 60) ACROSS THE COLORADO RIVER. CONTAINING APPROXIMATELY 1.954 ACRES.

LINE "D"

A RIGHT OF WAY, 50 FEET WIDE, LYING 25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

COMMENCING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 35 AND 36, TOWNSHIP 6 SOUTH, RANGE 23 EAST;

THENCE SOUTH ALONG THE SECTION LINE BETWEEN SAID SECTIONS 35 AND 36, AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 2653.95 FEET TO A POINT WHICH IS SHOWN ON THE COMMON CORNER OF SECTIONS 35 AND 36, T. 6 S., R. 23 E., AND SECTIONS 1 AND 2, T. 7 S., R. 23 E., ON MAP ON FILE IN RECORD OF SURVEY, BOOK 34 AT PAGES 36 AND 37 THEREOF;

THENCE SOUTH, A DISTANCE OF 116.62 FEET;

THENCE S. 58° 18' E., A DISTANCE OF 11.95 FEET;

THENCE S. 63° 12' E., A DISTANCE OF 182.15 FEET;

THENCE S. 29° 20' W., A DISTANCE OF 25.02 FEET TO THE POINT OF BEGINNING OF THE CENTER LINE TO BE DESCRIBED;

THENCE S. 29° 20' W., A DISTANCE OF 25.13 FEET;

THENCE N. 62° 23' W., A DISTANCE OF 484.48 FEET;

THENCE N. 89° 08' W., A DISTANCE OF 1101.84 FEET TO THE MEANDER LINE OF THE WEST BANK OF THE COLORADO RIVER AS SHOWN ON SAID U. S. GOVERNMENT PLAT OF FRACTIONAL TOWNSHIP NO. 7 SOUTH, RANGE 23 EAST OF SAN BERNARDINO MERIDIAN, FROM A SURVEY MADE IN 1874 BY O. P. CALLOWAY. CONTAINING APPROXIMATELY 1.850 ACRE.

ALSO

A PARCEL OF LAND IN THE BED OF THE COLORADO RIVER LYING SOUTHERLY AND EASTERLY OF THE MEANDER LINE OF THE WEST BANK OF THE COLORADO RIVER, AS SHOWN ON THE U. S. GOVERNMENT PLAT OF "FRACTIONAL TOWNSHIP NO. 6 SOUTH, RANGES NO. 23 AND 24 EAST OF SAN BERNARDINO MERIDIAN", AND U. S. GOVERNMENT PLAT OF "FRACTIONAL TOWNSHIP NO. 7 SOUTH, RANGE NO. 23 EAST, SAN BERNARDINO MERIDIAN"; SAID PARCEL ENCOMPASSING THE TRAVERSE LINE DESIGNATED AS "LINE B" ON A "RECORD OF SURVEY MAP DATED NOVEMBER 1961 AND PREPARED BY J. F. DAVIDSON R.C.E. NO. 862 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 35 AND 36, T. 6 S., R. 23 E., AND SECTIONS 1 AND 2, T. 7 S., R. 23 E., AS SHOWN ON A MAP ON FILE IN RECORD OF SURVEY BOOK 34 PAGES 36 AND 37 RECORDS OF RIVERSIDE COUNTY; THENCE PROCEEDING SOUTH BETWEEN SECTIONS 1 AND 2, A DISTANCE OF 87.24 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S. 58° 18' E., 26.32 FEET; S. 63° 12' E., 343.96 FEET; S. 59° 10' 30" E., 122.21 FEET; S. 59° 57' 30" E., 40.22 FEET; S. 30° 02' 30" W., 45.00 FEET; S. 59° 57' 30" E. 490.00 FEET TO THE CENTER OF THE COLORADO RIVER; THENCE ALONG SAID CENTER OF RIVER S. 30° 02' 30" W. 200.00 FEET; THENCE LEAVING SAID CENTER OF RIVER N. 59° 57' 30" W. 515.00 FEET; N. 37° 20' 18" W. 162.50 FEET; N. 30° 02' 30" E. 75 FEET; S. 84° 39' 39" E. 137.59 FEET; N. 59° 10' 30" W. 113.26 FEET; N. 63° 12' W. 340.13 FEET; THENCE NORTH 58.53 FEET TO THE POINT OF BEGINNING, CONTAINING 3.44 ACRES MORE OR LESS.

Attachment

Calendar Item 24 (4 pages)

24.

APPLICATION FOR FOUR GAS-LINE RIGHT-OF-WAY EASEMENTS OVER STATE-OWNED SUBMERGED AND ACCRETED LANDS OF THE COLORADO RIVER, RIVERSIDE COUNTY; SOUTHERN CALIFORNIA GAS COMPANY AND SOUTHERN COUNTIES GAS COMPANY - W.O. 4130.

Lease P.R.C. 276.1, which provided for a right-of-way for a 30" welded steel gas line on a suspension bridge over the Colorado River near Blythe, was issued to Southern California Gas Company and Southern Counties Gas Company for a fifteen-year term from December 19, 1946, through December 18, 1961, at an annual rental of \$48.00, with provision for one ten-year renewal option.

A renewal was requested, but processing was delayed pending the outcome of litigation between the State Division of Highways and private land owners as to the location of the west bank of the Colorado River in the vicinity of the new Ehrenberg Bridge, approximately 1100 feet to the north of the pipeline crossing.

On June 9, 1964, the Division of Highways advised that the appeal on the judgment was dismissed, and that the judgment which had fixed the State boundary at the 1874 meander line was final. This decision placed the State boundary some distance landward of the actual river bank, and brought three other gas lines under State Lands jurisdiction, one being a pipeline on the Ehrenberg Bridge, the other two being existing lines in the dry bed of the river (see Exhibit "A").

Negotiations were further complicated by the fact that the lands which came under State jurisdiction were also encumbered by a Life-of-Structure Permit (P.R.C. 2799.9) to the County of Riverside as part of a proposed marina and water-oriented park to be funded through a loan from the Division of Small Craft Harbors. The County and the gas companies have now worked out a mutually satisfactory arrangement whereby no structures of any kind will be located within the rights-of-way, with certain critical areas to be fenced and marked. The Division of Small Craft Harbors has approved the loan and construction has begun.

The applicant has furnished surveys of the additional areas and an appraisal by an independent appraiser approved by the State Lands Division. The appraisal was reviewed and approved by staff personnel after minor revisions. Inasmuch as the three additional parcels were not a part of the original lease, it was deemed appropriate to negotiate a new 15-year lease for all four parcels. The annual rental for the four parcels has been computed to be \$460.09, with the first and last years' rental payable in advance. The lease is to be retroactive to December 19, 1961, and is to provide for the right to renew for three periods of ten years each upon such reasonable terms and conditions as the State might impose.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO SOUTHERN CALIFORNIA GAS COMPANY AND SOUTHERN COUNTIES GAS

CALENDAR ITEM 24. (CONTD.)

COMPANY A FIFTEEN-YEAR LEASE OF SUBMERGED AND ACCRETED LANDS OF THE COLORADO RIVER FOR GAS TRANSMISSION LINES, TO BEGIN AS OF DECEMBER 19, 1961, AT AN ANNUAL RENTAL OF \$460.09 WITH THE FIRST AND LAST YEARS' RENTALS PAYABLE IN ADVANCE, THE LEASE TO PROVIDE FOR THREE TEN-YEAR RENEWAL OPTIONS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

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LINE "A"

COMMENCING AT THE ONE-QUARTER CORNER COMMON TO SECTIONS 35 AND 36, TOWNSHIP 6 SOUTH, RANGE 23 EAST;

THENCE SOUTH ALONG THE SECTION LINE BETWEEN SAID SECTIONS 35 AND 36, AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 2653.95 FEET TO A POINT WHICH IS SHOWN AS THE COMMON CORNER OF SECTIONS 35 AND 36, T. 6 S., R. 23 E., AND SECTIONS 1 AND 2, T. 7 S., R. 23 E., ON MAP ON FILE IN RECORD OF SURVEY, BOOK 34 AT PAGES 36 AND 37 THEREOF;

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